



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
CIVIL RIGHTS

AUG 20 2015

**Return Receipt Requested**

Certified Mail#: 7009 2820 0002 1759 1049

**In Reply Refer to:**

EPA File No. 13U-15-R4

Mr. George Solomon  
Director of Prisons  
North Carolina Department of Public Safety  
831 West Morgan Street  
4260 Mail Service Center  
Raleigh, North Carolina 27699-4260

**Re: Rejection and Referral of Administrative Complaint**

Dear Mr. Solomon:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), is rejecting a complaint received on June 24, 2015, from an inmate incarcerated at the Pamlico Correctional Institution (Pamlico CI), and is referring it to the U.S. Department of Justice (DOJ). The complaint alleges that Pamlico CI, which is operated by the North Carolina Department of Public Safety (NC DPS), violated indoor clean air statutes because dangerous air particles circulating the Pamlico CI are harming the inmates.

Pursuant to the EPA's nondiscrimination regulations, the OCR conducts a preliminary review of discrimination complaints to determine acceptance, rejection, or referral. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in the EPA's nondiscrimination regulations. First, it must be in writing. Second, it must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulations (i.e., an alleged discriminatory act or policy with a discriminatory effect based on race, color, national origin, sex, age, or disability). Third, it must be filed within 180 calendar days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b). Finally, the complaint must be filed against an applicant for, or a recipient of EPA assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

After careful review, the OCR is rejecting the subject complaint for investigation because it does not meet the jurisdictional requirements described in the EPA's

nondiscrimination regulations. Neither Pamlico CI, nor the NC DPS are applicants for, or recipients of, EPA assistance. Further, the complaint does not allege a discriminatory act or policy that is based on race, color, national origin, sex, age or disability. Therefore, the complaint is not within EPA OCR's investigative jurisdiction, and OCR must reject it.

However, because the U.S. Department of Justice (DOJ), Office of Civil Rights, Office of Justice Programs may have jurisdiction over the allegations in the subject complaint. Therefore, the complaint is being referred to the DOJ for action it deems appropriate. A copy of the letter to DOJ is enclosed with this correspondence. The contact person at DOJ is Mr. Michael Alston. His contact information is U.S. Department of Justice, Office of Justice Programs, Office of Civil Rights, 810 Seventh Street, N.W., Washington, D.C., 20531 at (202) 354-4380.

Enclosed are copies of the complainant's letters for your review. If you have questions regarding this letter, please contact Jonathan Stein of the OCR External Compliance Program at (202) 564-2088, via electronic mail at [stein.jonathan@epa.gov](mailto:stein.jonathan@epa.gov), or by mail at U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

Sincerely,



Velveta Golightly-Howell  
Director  
Office of Civil Rights

Enclosures (3)

cc: Elise Packard  
Associate General Counsel, Civil Rights & Finance Law Office  
(MC 2399A)

Kenneth Lapierre  
Assistant Regional Administrator, U.S. EPA Region 4  
(MC 9T25)

(b) (6) Privacy

Bayboro, N.C. 28515

June 17<sup>th</sup>, 2015

U.S. EPA Environmental  
Protection Agency  
Office of Civil Rights  
Ariel Rios Building  
1200 Pennsylvania Ave. NW, Room 2540  
Washington, D.C. 20460

In re: A Population Over Five Hundred (~500) Inmates  
Health And Lives Put In Jeopardy And Already  
In Jeopardy Due To Dust And Mold Fungi and Possi-  
ble Asbestos Dust Particles:

Dear EPA

There serious and dangerous situation that may because  
some type of disease spreading through the Heat And Condition  
Ducts and Ventilation System here at the Pamlico Correctional  
Institution in Bayboro, North Carolina, Pamlico County, N.C.

It is more than likely that "pass and present" inmates have no  
ideal of how harmful the excessive flow of dust particles coming  
from the mold fungi and mildew and possible asbestos dust particles



years of build up will affect them and other that they may come in contact with in society after their release from prison.

Many correctional officers don't even recognize the health threat to them by working under these condition (s) twelve (12) hours a day or night.

The Administration personnel have failed to take steps to curtail, impeded or alleviate this health risk because it will cost too much to Flush the Heat And Air Condition, and Ventilation ducts system, although there is more than enough free labor they can use of inmates labor.

I am respectfully requesting that the EPA Civil Rights Office investigate dangerous situation with this environment at this institution, "Pamlico Correctional Institution, Bayboro, N.C. 28515" ..

I trust that you will have an agent(s) to inspect this institution for truthness and order the appropriate action to be taken . . . .

Sincerely,

(b) (6) Privacy

(b) (6) Privacy

Bayboro, N.C. 28515

July 2<sup>nd</sup>, 2015

OSHA

U.S. Dept. of Labor

Occupational Safety And Health Administration

200 Constitution Avenue

Washington, D.C. 20210

In re: A Population Over Five Hundred (#500) Inmates  
Health, Safety And Lives Are In Jeopardy And  
Have Already Been Put Into Jeopardy Due To Dust  
And Mold Fungi And Possible Asbestos Dust Particles.

Dear OSHA

There is a serious and dangerous situation that is cause  
by dangerous dust particles of dust and Mold Fungi and Possi-  
ble Asbestos dust particles excessively exiting the Heath &  
Air Condition Ducts and Ventilation System and entering the  
cells and day rooms Seven (#7) days and Seven (#7) nights  
a week for twelve (#12) hours, days and nights .



This is a serious and dangerous situation that has been going on for years, and years of build up.

It is more likely that "pass and present inmates" have no idea of how harmful the excessive flow of dust particles are coming from the duct system and how it has already effected them and have already caused lung problem(s) to them - along with "Tuberculosis Germ(s)...."

Even many of the correctional officers don't realize the danger to their health because they don't have to be in at the institution here at Pamlico County for twenty (24) hours like the inmates....

I am respectfully requesting that OSHA have this dangerous situation investigated and take the appropriate action to immediately curtail, impend and or alleviate the health risk and afford access to screening for lung disease(s) possible health care access.

I trust that you (OSHA) have your agents to inspect this Institution - Pamlico Correction Institution in Pamlico County, North Carolina....

Sincerely,

(b) (6) Privacy

(b) (6) Privacy

Bayboro, N.C. 28515

July 2<sup>nd</sup>, 2015

U.S. (EPA) Environmental Protection Agency

Office of Civil Rights

Ariel Rios Building

1200 Pennsylvania Ave., NW, Room 2540

Washington, D.C. 20460

In re: Complaint/Letter Of Complaint To OSHA U.S.  
Dept. of Labor, Occupational Safety And Health  
Administration :

Dear U.S. EPA

Enclosed you will find a accurate and true copy of my Complaint/Letter Of Complaint to "OSHA", because we need all the help we can get even to adequate medical screening for our lungs for symptoms of lung diseases because this prison administration only play word games along along with the medical staff members to avoid ~~pro~~providing adequate and necessary screening and treatment of cut cost over treatment.

JUL 06 2015

*Sincerely,*  
(b) (6) Privacy

(b) (6) Privacy

Bayboro, NC. 28515

"Legal Mail"

JUL 06 2015



U.S. (EPA) Environmental Protection Agency

Office of Civil Rights  
Ariel Rios Building

1200 Pennsylvania Ave., NW, Room 254,  
Washington, D.C.

20460



20460

